

Title 28-A: LIQUORS
Chapter 19: AGENCY LIQUOR STORES

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Maine Revised Statutes
Title 28-A: LIQUORS
Chapter 19: AGENCY LIQUOR STORES

§451. AGENCY LIQUOR STORES

The bureau may license and regulate persons as agency liquor stores on an annual or temporary basis for the purposes of selling liquor in sealed bottles, containers or original packages to be consumed off the premises. [1997, c. 373, §44 (AMD).]

SECTION HISTORY

1987, c. 45, §A4 (NEW). 1993, c. 509, §2 (AMD). 1997, c. 373, §44 (AMD).

§452. RULES GOVERNING AGENCY LIQUOR STORES

The bureau shall adopt rules for the selection, licensing and operation of agency liquor stores. These rules include, but are not limited to, the following: [1997, c. 373, §45 (AMD).]

1. Location. Location of agency stores, subject to section 453;

[1987, c. 45, Pt. A, §4 (NEW) .]

2. Storage facilities. Storage facilities for liquor;

[1987, c. 45, Pt. A, §4 (NEW) .]

3. Handling and sale. The handling and sale of liquor;

[1987, c. 45, Pt. A, §4 (NEW) .]

4. Hours. The hours of operation;

[1987, c. 45, Pt. A, §4 (NEW) .]

5. Separation from other merchandise. The separation of liquor from other merchandise in the agency liquor stores;

[1987, c. 45, Pt. A, §4 (NEW) .]

6. Size and nature of facilities. The size and nature of the facilities of agency liquor stores for different quantities of liquor to be sold; and

[1987, c. 45, Pt. A, §4 (NEW) .]

7. Other. Any other rules necessary to carry out the purposes of this chapter.

[1987, c. 45, Pt. A, §4 (NEW) .]

SECTION HISTORY

1987, c. 45, §A4 (NEW). 1997, c. 373, §45 (AMD).

§453. LOCATION OF AGENCY STORES

1. Location requirements. The bureau may license an agency liquor store only when the following requirements are met.

A. The proposed agency liquor store is located in a municipality or unincorporated place that has voted in favor of the operation of state liquor stores under local option provisions. [1997, c. 373, §46 (AMD).]

B. [1993, c. 380, §7 (AFF); 1993, c. 380, §1 (RP).]

C. [2001, c. 711, §2 (RP).]

D. [2001, c. 711, §2 (RP).]

[2001, c. 711, §2 (AMD) .]

2. Replacement of state or agency liquor stores.

[2001, c. 711, §2 (RP) .]

2-A. Limitation on number of agency liquor stores. Beginning July 1, 2009, the bureau may license up to 10 agency liquor stores in a municipality with a population over 45,000; up to 9 agency liquor stores in a municipality with a population over 30,000 but less than 45,001; up to 8 agency liquor stores in a municipality with a population over 20,000 but less than 30,001; up to 5 agency liquor stores in a municipality with a population of at least 10,001 but less than 20,001; up to 4 agency liquor stores in a municipality with a population of at least 5,001 but less than 10,001; up to 3 agency liquor stores in a municipality with a population of at least 2,000 but less than 5,001; and one agency liquor store in a municipality where the population is less than 2,000. The bureau may issue one additional liquor store license beyond those otherwise authorized by this subsection in a municipality with a population of less than 10,000. The bureau may consider the impact of seasonal population or tourism and other related information provided by the municipality requesting an additional agency liquor store license.

A. [2001, c. 711, §2 (RP).]

B. [2003, c. 20, Pt. SS, §8 (AFF); 2003, c. 20, Pt. SS, §1 (RP); 2003, c. 51, Pt. C, §2 (AFF).]

Nothing in this subsection may be construed to reduce the number of agency stores the bureau may license in a municipality as of June 30, 2009.

[2015, c. 494, Pt. A, §31 (RPR) .]

2-B. Requirement of at least one replacement agency liquor store before closing.

[2013, c. 368, Pt. V, §31 (RP) .]

2-C. Licenses. The bureau shall consider whether the applicant can satisfy the following criteria when determining whether to issue an agency liquor store license under this section:

A. Except as provided in subsection 2-D, the applicant has held a license to sell malt liquor and wine for off-premises consumption for more than one year immediately preceding application without a violation of any provision of this Title; [2013, c. 269, Pt. A, §5 (AMD).]

B. The applicant will be able to stock at least \$10,000 worth of spirits purchased from the State or the State's wholesale distributor upon issuance of an agency liquor store license; and [2009, c. 213, Pt. JJJJ, §2 (NEW).]

C. The applicant can purchase the initial stock of spirits using a bank check or other financial instrument that certifies that funds are available. [2009, c. 213, Pt. JJJJ, §2 (NEW).]

[2013, c. 269, Pt. A, §5 (AMD) .]

2-D. Exception. If a retailer that is located in this State and has at least 5 locations licensed as an agency liquor store is sold or ownership is transferred to another company that will assume operation of some or all of the retailer's stores and that company submits an application for an agency liquor store license at some or all of those stores, the bureau may waive the requirement of subsection 2-C, paragraph A. The bureau may provide this waiver only if the applicant has held a license in another state to sell malt liquor and wine or spirits at retail for off-premises consumption, for at least one year prior to submitting the application, without a violation of the laws governing the sale of alcoholic beverages in that state and can provide the bureau with documentation of financial success as determined by the bureau. The bureau may not provide this waiver when issuing an additional liquor store license in a municipality with a population of less than 10,000 beyond the limit on the number of agency liquor stores authorized under subsection 2-A.

[2015, c. 221, §2 (AMD) .]

3. Measurement of distances.

[1993, c. 380, §7 (AFF); 1993, c. 380, §5 (RP) .]

4. Procedure for selection of agency liquor store location.

[1991, c. 622, Pt. K, §4 (RP) .]

5. Aggrieved applicants.

[1991, c. 622, Pt. K, §5 (RP) .]

SECTION HISTORY

1987, c. 45, Pt. A, §4 (NEW). 1987, c. 342, §22 (AMD). 1989, c. 502, Pt. B, §§26-28 (AMD). 1991, c. 528, §RRR (AFF). 1991, c. 528, Pt. E, §34 (AMD). 1991, c. 591, Pt. E, §34 (AMD). 1991, c. 622, Pt. K, §§3-5 (AMD). 1993, c. 380, §§1-5 (AMD). 1993, c. 380, §7 (AFF). 1997, c. 373, §46 (AMD). 2001, c. 711, §2 (AMD). 2003, c. 20, Pt. SS, §§1, 2 (AMD). 2003, c. 20, Pt. SS, §8 (AFF). 2003, c. 51, Pt. C, §2 (AFF). 2009, c. 213, Pt. JJJJ, §§1, 2 (AMD). 2013, c. 253, §1 (AMD). 2013, c. 269, Pt. A, §§5, 6 (AMD). 2013, c. 368, Pt. V, §31 (AMD). 2015, c. 128, §1 (AMD). 2015, c. 221, §§1, 2 (AMD). 2015, c. 494, Pt. A, §31 (AMD).

§453-A. ISSUANCE OF AGENCY LIQUOR STORE LICENSE

The bureau shall issue a license for an agency liquor store within a municipality or unincorporated place by the following procedure. [1997, c. 373, §47 (AMD).]

1. Bidding to replace state liquor stores.

[2001, c. 711, §3 (RP) .]

1-A. Bidding to establish or replace agency liquor stores.

[2001, c. 711, §3 (RP) .]

2. Public notice. The bureau shall, in accordance with the Maine Administrative Procedure Act, give public notice that an agency liquor store may be established in a particular municipality or unincorporated place. The bureau shall request all parties in the municipality or unincorporated place interested in a license to establish an agency liquor store there to submit applications to the bureau.

[2001, c. 711, §4 (AMD) .]

3. Information to applicants. The bureau shall provide all applicants with the necessary information for the establishment of an agency liquor store.

[1997, c. 373, §47 (AMD) .]

4. Notice to municipality. Upon receipt of all applications for an agency liquor store license in a municipality and at least 15 days before the final selection of an applicant or applicants by the bureau, the bureau shall notify the municipal officers of that municipality of the proposed location of each applicant.

[1997, c. 373, §47 (AMD) .]

5. Licensing decisions. The bureau shall conduct an investigation to determine the feasibility of the location and type of facility for the agency liquor store and shall issue the license to one or more of the applicants, taking into consideration the absence of an existing agency liquor store with less than 3,000 square feet of retail space in a downtown location and any other factors the bureau considers appropriate. The bureau is not required to consider the availability of parking spaces for motor vehicles for the issuance of an agency liquor store license to a store with less than 3,000 square feet of retail space in a downtown location. When considering the issuance of a license, the bureau shall consider the proximity of the proposed agency store to existing agency stores and the potential impact the location of the proposed agency store may have on an existing agency store. The bureau may deny a license if the bureau determines the proposed agency store location is in too close proximity to an existing agency store. For purposes of this subsection, "downtown" has the same meaning as in Title 30-A, section 4301, subsection 5-A.

[2005, c. 596, §1 (AMD) .]

5-A. Hearings on applications. The bureau, in accordance with the provisions of the Maine Administrative Procedure Act, shall conduct a hearing to take testimony, consider comment and deliberate on applications. In addition to giving any notice required by the Maine Administrative Procedure Act, the bureau shall give notice of public hearing in writing to any existing agency liquor stores located within 5 miles of the applicant's proposed store location by regular mail at least 15 days prior to the hearing.

[1997, c. 373, §47 (AMD) .]

6. Denial of application. The bureau shall notify any applicant denied a license of the reasons for the denial by certified mail to the mailing address given by the applicant in the application for an agency liquor store license.

[1997, c. 373, §47 (AMD) .]

7. Aggrieved applicants. Any applicant aggrieved by a decision made by the bureau may appeal the decision by filing an appeal with the District Court and serving a copy of the appeal upon the bureau in accordance with the Maine Rules of Civil Procedure, Rule 80C. The appeal must be filed and served within 30 days of the mailing of the bureau's decision.

[2001, c. 471, Pt. D, §26 (AMD) .]

8. Measurement of distance. All distances described in this section must be determined by the most reasonable direct route of travel.

[1993, c. 380, §6 (NEW) .]

9. Exception. Notwithstanding section 453, subsection 2-C, paragraph A, the bureau may issue an agency liquor store license to an applicant that has not held a license to sell malt liquor and wine for off-premises consumption for one year if the applicant is a branch of a chain retailer of which one or more locations has held a license to sell spirits without violating the provisions of this Title and the applicant, if licensed, will enhance the revenue to the State from the sale of spirits.

[2011, c. 460, §1 (NEW) .]

SECTION HISTORY

1991, c. 622, §K6 (NEW). 1993, c. 380, §6 (AMD). 1993, c. 509, §§3,4 (AMD). 1997, c. 373, §47 (AMD). 1999, c. 547, §B78 (AMD). 1999, c. 547, §B80 (AFF). 2001, c. 471, §D26 (AMD). 2001, c. 711, §§3-5 (AMD). 2005, c. 596, §1 (AMD). 2011, c. 460, §1 (AMD).

§453-B. LICENSE FEES

1. Agency liquor store.

[1993, c. 509, §5 (RP) .]

2. Seasonal agency liquor stores.

[1993, c. 509, §5 (RP) .]

The initial license fee for an agency liquor store and the fee for a transferee of a license for an agency liquor store under section 457 is \$2,000. The renewal fee for an annual license is \$300. [2007, c. 117, §1 (NEW) .]

SECTION HISTORY

1991, c. 622, §K6 (NEW). 1993, c. 509, §5 (RPR). 2001, c. 358, §V2 (RPR). 2007, c. 117, §1 (RPR).

§453-C. RESELLING AGENTS

1. Agent licensed to resell spirits purchased from the bureau. An agent licensed to resell spirits purchased from the bureau or through an entity awarded a contract under section 90 to a retail licensee licensed for on-premises consumption must be licensed as a reselling agent. A reselling agent is prohibited from reselling spirits to a retail licensee licensed for on-premises consumption unless the spirits are purchased from the bureau or through an entity awarded a contract under section 90.

[2013, c. 476, Pt. B, §6 (AFF); 2013, c. 476, Pt. B, §2 (RPR) .]

2. License fee. The fee for a state license to resell spirits to a retail licensee licensed for on-premises consumption is \$50 annually.

[2013, c. 269, Pt. C, §7 (AMD); 2013, c. 269, Pt. C, §13 (AFF) .]

3. Off-site facility license. A licensed reselling agent may obtain a license to maintain an off-site facility for the storage and distribution of spirits as provided in this subsection.

A. The off-site facility may be used for the storage of spirits intended for sale to an on-premises licensee or to fulfill and distribute orders to an on-premises licensee. The sales of spirits to an on-premises licensee may be transacted at the licensed retail agency store or at the licensed off-site facility. [2015 , c. 434 , §1 (AMD) .]

B. The off-site facility must be equipped with a security system providing 24-hour response. [2015 , c. 434 , §1 (AMD) .]

C. A licensed reselling agent may have only one off-site facility, which may not be located further than 5 miles from the licensed retail agency store. [2015 , c. 434 , §1 (AMD) .]

D. The fee for an off-site facility license is \$100 annually. [2015 , c. 434 , §1 (AMD) .]

[2015 , c. 434 , §1 (AMD) .]

4. Reporting of spirits sales to on-premises licensees. Beginning October 15, 2016, a licensed reselling agent shall report on a monthly basis all spirits sales made to establishments licensed to sell spirits for on-premises consumption.

A. A report under this subsection must be made to a trade association contracted by the bureau to collect spirits sales data from reselling agents as described in section 84, subsection 6. [2015 , c. 430 , §4 (NEW) .]

B. The bureau shall ensure that reports under this subsection may be made by electronic transmission through a secure website established by the bureau. A reselling agent that is not reasonably able to use the website may submit a report under this subsection on paper or by using other methods approved by the bureau. [2015 , c. 430 , §4 (NEW) .]

C. The bureau may provide a stipend or reimbursement to reselling agents licensed and actively selling spirits to on-premises licensees as of July 1, 2016 to mitigate the costs of compliance with this subsection. [2015 , c. 430 , §4 (NEW) .]

D. The bureau may adopt rules regarding mitigating the costs incurred by reselling agents in complying with this subsection. Rules adopted pursuant to this paragraph are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A. [2015 , c. 430 , §4 (NEW) .]

[2015 , c. 430 , §4 (NEW) .]

SECTION HISTORY

2001, c. 711, §6 (NEW). 2003, c. 639, §1 (AMD). 2005, c. 539, §5 (AMD). 2013, c. 269, Pt. C, §§6, 7 (AMD). 2013, c. 269, Pt. C, §13 (AFF). 2013, c. 368, Pt. V, §32 (AMD). 2013, c. 476, Pt. B, §2 (AMD). 2013, c. 476, Pt. B, §6 (AFF). 2015, c. 430, §4 (AMD). 2015, c. 434, §1 (AMD).

§453-D. CHANGE OF LOCATION

The bureau shall permit the relocation of an agency liquor store within the same municipality as prescribed by this section. [2011 , c. 135 , §1 (NEW) .]

1. Relocation application requirements. The bureau shall permit a change of location of an agency liquor store licensee if:

A. The licensee submits a \$2,000 relocation fee and an application in a form prescribed by the bureau; [2011 , c. 135 , §1 (NEW) .]

B. The application includes proof of receipt of municipal approval of the relocation; [2011 , c. 135 , §1 (NEW) .]

C. The licensee has held the license and operated as an agency liquor store for no less than one year at the currently licensed location, unless the relocation is directly related to retroactive zoning or unintentional destruction of the property that prevents rebuilding at the current location; and [2011 , c. 135 , §1 (NEW) .]

D. The proposed location of the agency liquor store meets all applicable criteria for licensure for an agency liquor store. [2011 , c. 135 , §1 (NEW) .]

[2011 , c. 135 , §1 (NEW) .]

2. Hearing on relocation application. Within 45 days of receipt of a relocation application under this section, the bureau, in accordance with the provisions of the Maine Administrative Procedure Act, shall conduct a hearing to take testimony, consider comment and deliberate on the proposed relocation. In addition to giving any notice required by the Maine Administrative Procedure Act, the bureau shall give notice of public hearing in writing to any agency liquor stores located in the same municipality as the applicant's proposed relocation site by regular mail at least 15 days prior to the hearing.

[2011 , c. 135 , §1 (NEW) .]

SECTION HISTORY

2011, c. 135, §1 (NEW).

§454. AGENCY LIQUOR STORE IN FORMER STATE LIQUOR STORE LOCATION.

(REPEALED)

SECTION HISTORY

1987, c. 45, §A4 (NEW). 2011, c. 629, §8 (RP).

§455. LIQUOR FOR AGENCY LIQUOR STORES

1. Agency liquor store purchases. Agency liquor stores shall buy their liquor from the bureau under section 606.

[2003, c. 20, Pt. SS, §3 (NEW); 2003, c. 20, Pt. SS, §8 (AFF); 2003, c. 51, Pt. C, §2 (AFF); 2013, c. 368, Pt. V, §61 (REV) .]

2. Monthly specials. The bureau may establish monthly specials for all agency liquor stores. The issuance of an agency liquor store license and the operation of agency liquor stores licensed pursuant to this Part are governed by this chapter.

[2003, c. 20, Pt. SS, §3 (NEW); 2003, c. 20, Pt. SS, §8 (AFF); 2003, c. 51, Pt. C, §2 (AFF); 2013, c. 368, Pt. V, §61 (REV) .]

SECTION HISTORY

1987, c. 45, Pt. A, §4 (NEW). 1991, c. 376, §51 (AMD). 1997, c. 373, §48 (AMD). 2003, c. 20, Pt. SS, §8 (AFF). 2003, c. 20, Pt. SS, §3 (RPR). 2003, c. 51, Pt. C, §2 (AFF). 2013, c. 368, Pt. V, §61 (REV).

§456. SPECIAL SEASONAL AGENCY LIQUOR STORES

(REPEALED)

SECTION HISTORY

1987, c. 45, §A4 (NEW). 1989, c. 600, §§A17,18 (AMD). 1989, c. 600, §§A17,A18 (AMD). 1989, c. 930, (AMD). MRSA T. 28A, §456, sub-§3 (RP).

§456-A. SPECIAL SEASONAL AGENCY LIQUOR STORES

(REPEALED)

SECTION HISTORY

1991, c. 367, (NEW). 1991, c. 622, §K7 (AMD). 1993, c. 509, §6 (RP).

§457. TRANSFER OF AGENCY LIQUOR STORE LICENSE

Upon application of a licensee under this chapter, an agency liquor store license must be transferred to a new owner upon the sale of the licensed establishment and payment of the transfer fee required in section 453-B if the new owner is eligible under section 601 and the physical premises of the establishment remain unchanged. [2007, c. 117, §2 (NEW).]

SECTION HISTORY

P&SL 1987, c. 50, (NEW). 1987, c. 342, §23 (NEW). 1987, c. 623, §6 (AMD). 1997, c. 373, §49 (AMD). 2007, c. 117, §2 (RPR).

§458. RENEWAL OF AGENCY LIQUOR STORE LICENSE; SELECTION OF ALTERNATE LICENSEE

1. Application by store. The holder of an agency liquor store license shall apply annually to the bureau for renewal of that license. An application for renewal must be submitted on a form prepared by the bureau.

[1997, c. 373, §50 (AMD) .]

2. Review by bureau. In reviewing applications for renewal submitted under subsection 1, the bureau shall consider the following criteria:

- A. The applicant's sales and inventory of liquor; [1991, c. 782, §1 (NEW).]
- B. The applicant's sales and inventory of groceries and related items; [1991, c. 782, §1 (NEW).]
- C. Any changes in the interior selling location of the premises or renovations to the applicant's licensed premises; [1999, c. 34, §1 (AMD).]
- D. Any customer complaints of poor service against the applicant's store; [1991, c. 782, §1 (NEW).]
- E. Any violations of liquor laws by the applicant; and [1991, c. 782, §1 (NEW).]
- F. Records of any bad checks rendered to the commission or bureau. [1997, c. 373, §50 (AMD).]

[1999, c. 34, §1 (AMD) .]

2-A. Review exemptions. Notwithstanding subsection 2, paragraph C, when considering an application for the renewal of an agency license, the bureau may not consider minor changes to the placement of liquor inventory if the changes are not for the purposes of marketing beyond those provided in law or agency rule or for increasing access by minors but are to address some other liquor placement issue that is within the scope of the person's license.

[1999, c. 34, §2 (NEW) .]

3. Rejection of application; selection of alternate licensee. If the bureau denies an application for renewal of an agency liquor store license, the bureau may select an alternate licensee in accordance with the criteria set forth in sections 453, 453-A and 453-B. If the alternate licensee held an agency liquor store license in the past, the bureau may consider any of the applicable criteria set forth in subsection 2 in considering whether to license the alternate agency liquor store.

[1997, c. 373, §50 (AMD) .]

4. Purchase of store merchandise by State. If the bureau does not renew the agency liquor store license, the bureau shall purchase from the agency liquor store all resalable spirits held in inventory by the agency liquor store. The purchase price is the cost at which that agency liquor store purchased the spirits from the bureau, minus 10% of that cost.

[1997, c. 373, §50 (AMD); 2013, c. 368, Pt. V, §61 (REV) .]

5. Aggrieved applicant. Any agency liquor store licensee aggrieved by a decision of the bureau not to renew an agency liquor store license may appeal the decision by filing an appeal with the District Court and serving a copy of the appeal on the bureau in accordance with the Maine Rules of Civil Procedure, Rule 80C. The appeal must be filed and served within 30 days of notification of the agency liquor store licensee by the bureau that the license will not be renewed.

[2001, c. 471, Pt. D, §27 (AMD) .]

SECTION HISTORY

1991, c. 782, §1 (NEW). 1997, c. 373, §50 (AMD). 1999, c. 34, §§1,2 (AMD). 1999, c. 547, §B78 (AMD). 1999, c. 547, §B80 (AFF). 2001, c. 471, §D27 (AMD). 2013, c. 368, Pt. V, §61 (REV).

§459. DELIVERY OF LIQUOR BY AGENCY LIQUOR STORES

Agency liquor stores may deliver liquor to establishments that are licensed to serve liquor on premises. [1993, c. 276, §1 (NEW).]

SECTION HISTORY

1993, c. 276, §1 (NEW).

§460. AGENCY LIQUOR STORE TASTE TESTING OF DISTILLED SPIRITS

1. Taste testing on agency liquor store premises. Subject to the conditions in subsection 2, the bureau may authorize an agency liquor store stocking at least 200 different codes of distilled spirits products to conduct taste testing of distilled spirits on that licensee's premises. An agency liquor store may request authority to conduct a taste testing using forms prescribed by the bureau. The request must indicate if a sales representative licensed under section 1502 will be pouring or providing samples, or both, for taste testing and verification that the sales representative has successfully completed an alcohol server education course approved by the commissioner. Any other consumption of alcoholic beverages on an agency liquor store's premises is prohibited, except as permitted under section 1205 or 1207.

[2015, c. 329, Pt. D, §4 (AFF); 2015, c. 329, Pt. D, §1 (RPR) .]

2. Conditions on taste-testing activities. The conditions under this subsection apply to taste-testing activities under this section.

A. Distilled spirits may not be served to persons who have not yet attained 21 years of age. [2009, c. 459, §1 (NEW) .]

B. A person may not be served more than a total of 1 1/2 ounces, in 1/2 ounce servings, of distilled spirits having an alcohol content of 80 proof or less; or, for distilled spirits containing an alcohol content of greater than 80 proof, a person may not be served more than a total of 3/4 of an ounce in 1/4 ounce servings. [2009, c. 459, §1 (NEW).]

C. Distilled spirits must be dispensed using a standard measuring device. [2009, c. 459, §1 (NEW).]

D. Distilled spirits having an alcohol content of greater than 80 proof may not be offered for tasting at the same time as distilled spirits having an alcohol content of 80 proof or less. [2009, c. 459, §1 (NEW).]

E. A person may not be charged a fee for any distilled spirits served as part of a taste-testing activity. [2009, c. 459, §1 (NEW).]

F. A person may not be served who is visibly intoxicated. [2009, c. 459, §1 (NEW).]

G. Taste testing must be limited to a designated area. [2009, c. 459, §1 (NEW).]

H. Taste testing must be conducted within the hours of retail sale established in this Title. [2009, c. 459, §1 (NEW).]

I. The agency liquor store must obtain the written permission of the bureau before conducting any taste-testing activity. [2009, c. 459, §1 (NEW).]

J. The agency liquor store may conduct up to 3 tastings per month, including tastings conducted under sections 1205 and 1207. [2011, c. 103, §1 (AMD).]

K. Taste testing is not allowed in any municipality where on-premises and off-premises sales are not allowed pursuant to chapter 5. [2009, c. 459, §1 (NEW).]

L. The agency liquor store must notify the bureau of the date and time scheduled for all taste-testing events. This notification must list the name of any sales representative licensed under section 1502 who will be pouring samples for taste testing. [2015, c. 129, §2 (AMD).]

M. [2015, c. 184, §2 (RP).]

M-1. Distilled spirits served at a taste testing must be provided by the agency liquor store or purchased, at the retail list price, by a licensed sales representative participating in the taste testing from existing stock available for purchase at the agency liquor store. [2015, c. 184, §3 (NEW).]

N. Prior to a taste-testing event, the agency liquor store shall post prominently at the entrance to the store a sign that announces the date and time of the event. [2013, c. 368, Pt. V, §33 (AMD).]

O. An agency liquor store, with prior approval from the bureau, may conduct an invitation-only taste-testing event at the agency liquor store's premises in place of or to coincide with a taste-testing event that is open to the public. A taste-testing event that is exclusively invitation only is not subject to the posting requirement in paragraph N. [2009, c. 510, §3 (NEW).]

[2015, c. 129, §2 (AMD); 2015, c. 184, §§2, 3 (AMD) .]

3. Rules. The bureau may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[2013, c. 476, Pt. A, §17 (AMD) .]

SECTION HISTORY

2009, c. 459, §1 (NEW). 2009, c. 510, §§1-3 (AMD). 2011, c. 103, §1 (AMD). 2013, c. 368, Pt. V, §§33, 34 (AMD). 2013, c. 476, Pt. A, §17 (AMD). 2015, c. 129, §§1, 2 (AMD). 2015, c. 184, §§1-3 (AMD). 2015, c. 329, Pt. D, §1 (AMD). 2015, c. 329, Pt. D, §4 (AFF).

§461. MINIMUM STOCK REQUIREMENT

An agency liquor store shall maintain a minimum number of product codes in accordance with this section. For the purposes of this section, "product code" means a single spirit product purchased from the State or the State's wholesale distributor. [2013, c. 269, Pt. C, §8 (AMD); 2013, c. 269, Pt. C, §13 (AFF).]

1. Store in municipality with population of 1,000 or more. An agency liquor store located in a municipality with a population of 1,000 or more shall have in stock, or on hand, a minimum of 100 different product codes.

[2011, c. 140, §1 (NEW) .]

2. Store in municipality with population of 999 or less. An agency liquor store located in a municipality with a population of 999 or less shall have in stock, or on hand, a minimum of 50 different product codes.

[2011, c. 140, §1 (NEW) .]

SECTION HISTORY

2011, c. 140, §1 (NEW). 2013, c. 269, Pt. C, §8 (AMD). 2013, c. 269, Pt. C, §13 (AFF).

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